

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

BGHN HOLDINGS LLC, a Delaware limited
liability company,

Plaintiff and Counterclaim Defendant,

v.

KINGSTON-ULSTER AIRPORT, INC., a New
York corporation,

Defendant, Counterclaimant, and
Third Party Plaintiff,

v.

BRIDGEVIEW HELIPORT, LLC, JEFFREY
LYONS, and CHRISTINE SEWARD,

Bridgeview Heliport, LLC, Jeffrey Lyons,
and Christine Seward as Counterclaim
Defendants; Bridgeview Heliport, LLC,
and Christine Seward as Third Party
Defendants.

Civil Action No. 1:20-cv-00532 (GLS/CFH)

**STIPULATION OF DISMISSAL WITH
PREJUDICE**

**STIPULATION OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P.
41(a)(1)(A)(ii)**

1. IT IS HEREBY STIPULATED AND AGREED by and between the parties that the above-captioned action is voluntarily dismissed.
2. IT IS HEREBY STIPULATED AND AGREED by and between the parties that, subject to the exception in Paragraph 3, any claim asserted by any party in the above captioned action, is dismissed with prejudice.

3. Defendant Kingston-Ulster Airport, Inc.'s ("KUA") claims against Plaintiff BGHN Holdings, LLC and Bridgeview Heliport, LLC that they failed to pay "through the fence fees" and/or failed to have a "through the fence agreement" is dismissed without prejudice.
4. Further, all parties consent to the cancellation of the *lis pendens* filed by BGHN Holdings, LLC on May 13, 2020 with Ulster County (bearing Instrument Number 2020-122, case number 2020-1114).

DATED: February 9, 2021.

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